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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

FENNEC PHARMACEUTICALS INC.,

Plaintiff,

v.

CIPLA LIMITED and CIPLA USA, INC.,

Defendants.

Case 2:23-cv-00123-JKS-MAH

Hon. Jamel K. Semper, U.S.D.J.

Hon. Michael A. Hammer, U.S.M.J.

**JOINT STIPULATION AND [REDACTED] ORDER REGARDING  
SUPPLEMENT TO SCHEDULING ORDER**

WHEREAS, the Court entered the Scheduling Order (ECF 52) on July 5, 2023;

WHEREAS, Fennec moved for leave to file a Third Amended Complaint ("TAC") to, *inter alia*, add U.S. Patent No. 11,964,018 ("the '018 Patent") to this action (ECF 104);

WHEREAS, Defendants did not oppose Fennec's motion for leave to file the TAC (ECF 106);

WHEREAS, Plaintiffs and Defendants have agreed to certain deadlines to begin incorporating the '018 Patent into this action.

WHEREAS, no deadline set forth in the Scheduling Order (ECF 52) will be modified by this supplement;

WHEREAS all claim-construction deadlines are on hold by the Court's prior Order (ECF 97), pending resolution of Fennec's Motion to Amend the Joint Claim Construction and Prehearing Statement Pursuant to L. Pat. R. 3.7 (ECF 100);

NOW, THEREFORE, the parties hereby stipulate and agree, subject to the approval of the Court, to the following additional deadlines being added to the current schedule:

| Event   | Deadline           |
|---|--------------------|
| Fennec's Third Amended Complaint Deemed Filed                           | July 31, 2024      |
| Cipla's Answer Due  | August 5, 2024     |
| Fennec's Reply to Counterclaims Due                                     | August 13, 2024    |
| Fennec's Disclosure of Asserted Claims for the '018 Patent              | August 15, 2024    |
| Cipla's Invalidity and Non-Infringement Contentions for the '018 Patent | August 30, 2024    |
| Plaintiffs' Validity and Infringement Contentions for the '018 Patent   | September 12, 2024 |

Dated: July 29, 2024

*It is further ORDERED that Fennec's motion for leave to file a Third Amended Complaint, D.E. 104, is granted.*

Stipulated and agreed to by:

**K&L GATES LLP**

*/s/ Peter L. Giunta*

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*/s/ John D. Tortorella*

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*Attorneys for Plaintiff  
Fennec Pharmaceuticals Inc.*

**ORDER**

The above extension is ORDERED GRANTED. The deadlines are extended in accordance with the Parties' stipulation above.

ORDER DATED: 7/30/24

Hon. Michael A. Hammer

**SO ORDERED**

*s/Michael A. Hammer*  
~~United States Magistrate Judge~~  
**Michael A. Hammer, U.S.M.J.**

**Date:** 7/30/24